
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

EVEN THOMAS, III,

Plaintiff,

versus

WINDHAM SCHOOL DISTRICT,

Defendant.

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NO. 1:23-cv-00228-MAC-ZJH


ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

On June 12, 2023, the court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pretrial management pursuant to a standing order. The case was originally filed in County Court at Law 1, Jefferson County, Texas. *See* Doc. No. 1 at 1. Defendant Windham School District removed the case to this court. *Id.* Pending before the court are Plaintiff Even Thomas’s *Motion to Remand to State Court* (Doc. No. 8), *Amended Motion to Remand to State Court* (Doc. No. 16), and *Second Amended Motion to Remand to State Court* (Doc. No. 17). On October 10, 2023, Judge Hawthorn issued his Report and Recommendation (Doc. No. 26), which recommended granting Plaintiff’s motions to remand because the court lacks subject matter jurisdiction. Doc. No. 26 at 4.

The court has received and considered the report of the magistrate judge. No objections to the report and recommendation have been filed, and the time for doing so has passed.

It is, therefore, ORDERED that the report and recommendation of the magistrate judge (Doc. No. 26) is ADOPTED and the Plaintiffs' *Motions to Remand* (Doc. Nos. 8, 16-17) are GRANTED. This action is REMANDED to County Court at Law 1, Jefferson County, Texas.

SIGNED at Beaumont, Texas, this 14th day of November, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE